



**JUSTICE CABINET
DEPARTMENT OF
JUVENILE JUSTICE
POLICY AND PROCEDURES**

REFERENCES:
505 KAR 1:120
3-JCRF-4C- 24
1-JDTP-3B- 17
1-JBC-5C-12
NCCHC Y-I-03

CHAPTER: Health and Safety Services

AUTHORITY: KRS 15A. 065

SUBJECT: Forensic Information

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, COMMISSIONER

I. POLICY

DJJ health care personnel shall be prohibited from participating in the collection of forensic information for use in court proceedings, except as required by state law.

II. APPLICABILITY

This policy shall apply to licensed health care personnel providing services to youth either by direct employ or contract. The role of the health care personnel shall be one of neutrality. These personnel shall not be expected to collect information that may compromise their neutrality.

III. DEFINITIONS

Refer to DJJPP 400.

IV. PROCEDURES

- A. DJJ staff other than licensed health care personnel may administer drug and alcohol testing in accordance with DJJPP Chapter 3 (Drug Testing). However, if the results of drug and alcohol testing may be entered into evidence in court proceedings, the Medical Director or designee in conjunction with the Superintendent or Juvenile Service District Supervisor (JSDS) shall arrange for the testing to be done by qualified outside providers.
- B. If a youth is suspected of concealing contraband in a body cavity, only medical personnel may conduct a cavity search. If this type search needs to be performed, it shall be done by qualified outside providers and not by DJJ personnel. If the contraband is illegal, the Superintendent, Juvenile Service District Supervisor, or designees shall contact local law enforcement officials for further action.
- C. Medical staff shall not perform pat or frisk searches.
- D. DJJ health care personnel may collect forensic information to comply with state laws that require blood samples or saliva samples from juveniles, with the consent of the

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juvenile. Health care personnel shall not be involved in punitive action taken as a result of non-participation in the collection process.

- E. If need for forensic information is related to a psychological evaluation, a qualified outside provider of that type service shall be contacted to perform this service.
- F. Questions concerning appropriate providers or payment for such evaluation may be referred to the DJJ Medical Director, Chief of Mental Health Services and/or Office of Counsel.
- G. Any occurrence of this activity shall be communicated to the DJJ Regional Facilities Administrator or Regional Manager as soon as possible. Documentation of the activity shall be recorded and placed in the youth's Individual Client Record. The Superintendent or JSDS shall maintain a copy. A copy shall be placed in the youth's institutional Medical Record, if applicable.

V. MONITORING MECHANISM

Monitoring shall be accomplished by the Superintendent or JSDS and the Medical Director or Mental Health Director or designee.